

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ROSELYN DEXTER, ERIKA DORN and
REBECCA MADER, individually and
on behalf of those similarly situated,

Plaintiffs,

v.

MINISTRY HEALTH CARE and
AFFINITY HEALTH SYSTEM,

Defendants.

ORDER

14-cv-87-wmc

The court is in receipt of plaintiffs' unopposed motion for preliminary approval of a settlement in this collective and class action (dkt. #50) and will hold a telephonic status conference on March 10, 2015, at 9:30 a.m. to address the following preliminary questions and concerns with regard to the proposed settlement:

- An estimate of the actual, maximum value of the class members' claims before the pro rata calculation should plaintiffs prove successful at trial.
- The language in the settlement agreement requiring Rule 23 class members to sign a written consent form. *See* dkt. #50-1, at 8-9.
- Confirm that the applicable statutes of limitations bar any potential claims that arose before the dates from which the claim amounts were calculated (*i.e.*, Feb. 10, 2011 for FLSA members and Feb. 10, 2012 for Rule 23 class members).

- Why the FLSA release purports to release claims under Wisconsin law, given that it is possible, however unlikely, that a member of the FLSA collective could opt out of the Rule 23 class action. *See* dkt. #50-1, at 12.
- The reason for the differing tax treatment of the amounts paid to FLSA collective members and Rule 23 class members.
- The justification for defendants receiving the first \$50,000 of uncashed settlement checks and for giving class members just 90 days to cash their checks, rather than the more customary 120 to 180 days.
- Requiring the posting of the notice of settlement at the workplace.

Entered this 4th day of March, 2015.

BY THE COURT:

/s/

William M. Conley
District Judge